

ESTTA Tracking number: **ESTTA281268**

Filing date: **04/30/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91161954
Party	Defendant Lone Star Steakhouse & Saloon, Inc. and LSFS Cactus LLC (joined as party defendant)
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Date	04/30/2009
Attachments	LSMotion.pdf (3 pages)(85135 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Application Serial Nos. 75/883,254 and 75/883,253
Published in the *Official Gazette* on March 2, 2004

Pabst Brewing Company, Opposer v. Lone Star Steakhouse & Saloon, Inc. and LSF5 Cactus LLC, Applicants	Opposition No. 91161954 Opposition No. 91161955 Mark: LONE STAR (and Design)
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**MOTION FOR EXTENSION OF TIME TO FILE
APPLICANTS' TRIAL BRIEF**

Applicants Lone Star Steakhouse & Saloon, Inc. and LSF5 Cactus LLC ("Applicants") hereby move the Trademark Trial and Appeal Board for an extension of time for Applicants to file their trial brief. In support of this Motion, Applicants shows the Board as follows:

1. Pursuant to the Board's Order mailed February 25, 2009, the briefing schedule is as follows:

Opposer's Brief, if filed, Due	March 31, 2009
Applicant's Brief, if filed, Due	April 30, 2009
Opposer's Reply Brief, if filed, Due	May 15, 2009

2. Currently pending before the Board is Opposer's Motion for Leave to Re-Open Discovery and Testimony Period ("Opposer's Motion for Leave"), filed on March 31, 2009. As discussed below, Applicants join in Opposer's request to re-open the discovery and testimony periods. Thus, Applicants request that, in the event the Board denies Opposer's Motion for Leave, the Board grant Applicants ten days from the date of the Board's action to file its trial brief. In the event the Board grant's Opposer's Motion for Leave, this request will be moot.

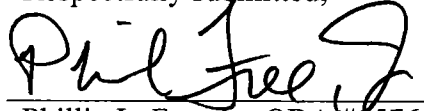
3. Applicants hereby join in Opposer's Motion for Leave to Re-Open Discovery and Testimony Period ("Opposer's Motion for Leave") to the extent that Opposer requests that the discovery and testimony period be reopened.

Opposer filed its Motion for Leave to Re-Open Discovery and Testimony Period on March 31, 2009, stating that it maintained an interest in resolving this manner amicably, but if the matter could not be resolved, Opposer desired to conduct discovery and submit testimony to resolve the proceeding. (Opposer's Motion for Leave at 2). Applicants also desire to resolve the matter amicably, and have taken steps to discuss settlement proposals with Opposer since Opposer filed its Motion for Leave. Opposer and Applicants have not yet agreed on terms, and thus Applicants also request that the discovery and testimony period be re-opened, so that the parties may continue their discussions while moving prosecution of the case forward.

Relief Requested

Applicants respectfully request an extension of time to file their trial brief until ten days after Opposer's Motion for Leave has been ruled upon.

Respectfully submitted,



Phillip L. Free Jr., OBA #15765
Marie S. Johnston, OBA # 19847

- Of the Firm -

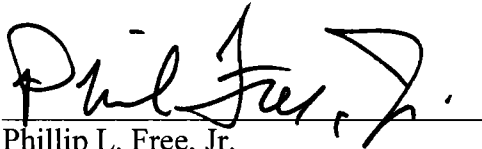
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ATTORNEYS FOR APPLICANTS, LONE
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CACTUS LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion for Extension of Time to File Applicants' Trial Brief has been served on William B. Nash by mailing said copy on April 30, 2009, via First Class Mail, postage prepaid to:

William B. Nash
Jackson Walker L.L.P.
112 E. Pecan Street, Suite 2400
San Antonio, TX 78205


Phillip L. Free, Jr.